

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILED

NO. 5:10-CR-51-1BO

SEP 29 2010

UNITED STATES OF AMERICA)
)
 v.) ORDER
)
 DEVIN RAY NORRIS)

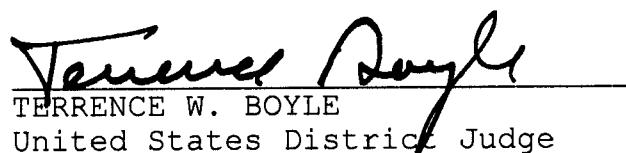
DENNIS P. LAVARONE, CLERK
US DISTRICT COURT, EDNC
BY JK DEP CLK

This matter comes before the Court upon a motion pursuant to 18 U.S.C. § 4241 by counsel for the defendant for a competency examination of Norris to determine if the defendant is presently suffering from a mental disease or defect to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist in his defense. In an order entered March 11, 2010, the undersigned allowed this motion and ordered that Norris be committed to the custody of the Attorney General to undergo psychological and/or psychiatric examination to determine Norris' competency to stand trial. A report completed by Dr. Tanya L. Cunic, Pys.D., dated June 9, 2010, was submitted to the court. In Dr. Cunic's opinion, Norris is competent to stand trial. The defendant through defense counsel does not object to this conclusion.

Accordingly, after thorough consideration of all the surrounding circumstances, the Court finds by a preponderance of the evidence that Norris is not presently suffering from a mental disease or defect rendering him mentally incompetent to the extent

that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Based on those findings, the Court concludes that Norris is competent to proceed.

This the 21 day of September, 2010.


TERRENCE W. BOYLE
United States District Judge